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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 06-267 SI
	)	
Plaintiff,	)	[PROPOSED] ORDER AND STIPULATION
	)	(1) EXCLUDING TIME FROM JUNE 9,
v.	)	2006 TO JULY 7, 2006 FROM THE
	)	SPEEDY TRIAL ACT CALCULATION
JOE MILAM CATHEY,	)	(18 U.S.C. § 3161(h)(8)(A))
	)	
Defendant.	)	

The parties appeared before the Honorable Susan Illston on June 9, 2006.

With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act from June 9, 2006 to July 7, 2006, in light of the need for the defendant's counsel to review recently-produced discovery. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for new counsel to review the discovery with the defendant, and would deny both the defendant continuity of counsel.

2. Given these circumstances, the Court found that the ends of justice served by excluding

1 the period from June 9, 2006, to July 7, 2006 outweigh the best interest of the public and the  
2 defendant in a speedy trial. Id. § 3161(h)(8)(A).

3 4. Accordingly, and with the consent of the defendant, the Court ordered that the period from  
4 June 9, 2006 to July 7, 2006 be excluded from Speedy Trial Act calculations under 18 U.S.C. §  
5 3161(h)(8)(A) & (B)(iv).

6 5. The Court schedules a status hearing on July 7, 2006.

7 IT IS SO STIPULATED.

8  
9 DATED: June 15, 2006


/S/  
\_\_\_\_\_  
TRACIE L. BROWN  
Assistant United States Attorney

10  
11  
12 DATED: June 20, 2006

/S/  
\_\_\_\_\_  
STEVEN KALAR  
Attorney for Joe Milam Cathey

13  
14 IT IS SO ORDERED.

15  
16 DATED: \_\_\_\_\_

  
\_\_\_\_\_  
THE HON. SUSAN ILLSTON  
United States District Judge